

REMARKS

Claims 1-35, 37-73, and 75-82 remain pending in this application.

Applicants thank the Examiner for the courtesy extended during the telephonic interview with Applicants' representative on January 27, 2005. During this interview, the claim language was discussed.

The present invention relates to a cache system that redirects network traffic. The traffic is sent from a first processing device (e.g., a server) to a second processing device (e.g., a client). At a third processing device (e.g., a router) associated with a plurality of traffic handling systems (e.g., cache systems), traffic information is received from one or more of the associated traffic handling systems. A determination as to how to redirect traffic received by the third processing device to a selected traffic handling system is made based on the traffic information.

The claims have been amended to clarify the present invention. More specifically, claims 1, 2, 7, 20, 22, 40, 72, 78, 79 and 81 have been amended to recite that traffic is redirected. The language was already in many of the claims; no new matter has been added. Support for the amendment can be found throughout the Specification, and in particular on pages 1 to 7, for example. Claims 1, 40, 79 and 80 have also been amended to clarify the number of associated traffic handling systems that traffic information is received from.

Rejections under 35 U.S.C. § 102/103

The Office Action dated December 1, 2004 rejected claims 1-5, 7-10, 12-14, 19-25, 27-29, 33-34, 40-48, 50-53, 57-63, 65-67, 72-72 and 78-82 under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,578,066 to Logan (referred to herein as "Logan"). Applicants respectfully traverse.

Logan describes a distributed server system that redundantly stores content (e.g. hosting for an Internet web site). The distributed system includes multiple servers that each store and send the same content. The redundant servers are selectively used in the event that one server fails, or selectively used based on geographic preference.

Logan does not teach the claimed invention. Overall, the two systems are very different. Logan's distributed server system redundantly provides data. The present invention redirects network traffic to a cache system. Differences between the two systems are recited in the claims.

Claim 1 recites "at a third processing device ..., receiving traffic information" and "determining how to redirect traffic received by the third processing device". The received traffic is sent from a first processing device to a second processing device and intercepted by the third processing device. As claimed, the traffic is in transit when redirected (it has already been sent from the server to the client).

The Office Action uses an HTTP redirect to anticipate claim 1. An HTTP redirect chooses a different server and forwards a request (not traffic) to the new server. The new server responds by sending content to the client, with no traffic redirection of the content between the new server and client. The claimed invention redirects traffic as it is sent to the client (e.g., redirects traffic in transit from server to client). An HTTP request redirect thus does not teach redirecting traffic, as claimed.

While the redundant hosting servers of Logan receive traffic information, they do not receive traffic. In contrast, they all store and send content. Thus, the redundant servers do not receive traffic as recited.

Claim 1 also recites "wherein the traffic information specifies which traffic should be redirected to the one or more associated traffic handling systems". The redundant hosting servers of Logan all store the same content. No traffic is redirected to any hosting server in Logan. This would not make sense since each server already stores any traffic being sent by another server.

For at least these reasons, the distributed server system of Logan does not teach or suggest the method of redirecting traffic as recited in independent claim 1.

Independent claims 40, 58, 72, 78, 79, 81 and 82 each include similar or additional network traffic redirection limitations relative to independent claim 1. These independent claims are all rejected with the same seven lines from Logan. Namely, they are all rejected with an HTTP redirect (col. 5, lines 38-45).

For example, the Office Action also uses an HTTP redirect (col. 5, lines 38-45) to anticipate independent claim 34 and all its limitations. Again, the HTTP redirect of Logan chooses a new server to send content. Claim 34 recites "receiving a redirected packet from a third processing device in a fourth processing device, wherein the third processing device has redirected the redirected packet from the second processing device to the fourth processing device; and returning the packet back to the third processing device for transmission to the second processing device, wherein the returning is performed by the fourth processing device." Again, the servers of Logan do not redirect traffic, particularly as recited in independent claim 34. The Office Action has also omitted to illustrate which of the elements of Logan are being used anticipate the first, second, third and fourth processing devices in this claim.

Thus, it is respectfully submitted that independent claims 1, 34, 40, 58, 72, 78, 79, 81 and 82 are not anticipated by Logan and are patentable.

Claims 2-33, 37-39, 41-57, 59-71, 73, 75-77 and 80 each depend directly or indirectly from independent claims 1, 34, 40, 58, 72 or 79, respectively, and are patentable over cited art for at least the reasons set forth above with respect to the independent claims. Further, the dependent claims require additional elements that when considered in context of the claimed inventions further patentably distinguish the invention from the cited art. For example, dependent claim 4 recites "in the third processing device, receiving a packet from the first processing device destined for the second processing device". Given that the independent claims are rejected using an HTTP redirect with a failed server, the operable limitations and processing devices recited in dependent claim 4 are taught by Logan.

For at least these reasons, withdrawal of the rejection under 35 USC §102 is respectfully requested.

The Office Action rejected claims 6, 11, 15-18, 26, 30-32, 35, 37-49, 54-56, 64, 68-71 and 75-77 under 35 U.S.C. 103(a) as being anticipated by Logan in view of US Patent No. 6,247,054 to Malkin (referred to herein as "Malkin").

Malkin does not address deficiencies in the primary reference (Logan) with respect to the independent claims. Claims 6, 11, 15-18, 26, 30-32, 35, 37-49, 54-56, 64, 68-71 and 75-77 each depend directly or indirectly from independent claims 1, 34, 40, 58 or 72 and are patentable over cited art for at least the reasons set forth above with respect to the independent claims. Thus, the combination of Logan and Malkin does not render the claimed invention unpatentable.

In addition, Applicants also respectfully traverse the combination of Malkin and Logan. Malkin encapsulates a packet to preserve the address of an original destination of a service request when service is potentially denied. Logan avoids the original destination of a service request and finds a more suitable server (e.g. geographically closer or if the original destination is inoperable).

"The proposed modification cannot render the prior art unsatisfactory for its intended purpose" (MPEP 2143.01). Logan avoids the original server that is essential to Malkin. Malkin encapsulates a packet using the sending server, which for Logan is inoperable. Either system would lose operability if combined as the Office Action suggests, and cannot be combined with the other to render the present invention obvious.

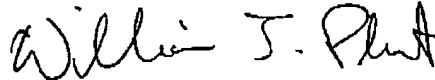
For at least these reasons, withdrawal of the rejection under 35 USC §103 is respectfully requested.

Conclusion

Applicants believe that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Response is to be charged to Deposit Account No. 50-0388 (Order No. CISC146).

Respectfully submitted,
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Limited Recognition under 37 C.F.R. §10.9(b)

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